FILED

NOV 13 2015

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	CRIMINAL NO. 15-MJ-3127-DGW
vs.	)	Title 18, United States Code, Sections 2252A(a)(2)(B)
HAMZA L. NIJMEH,	)	
Defendant.	)	**FILED UNDER SEAL**

CRIMINAL COMPLAINT

I, Tyrone K. Forte, Special Agent for the Federal Bureau of Investigation assigned to the Springfield Division's Violent Crimes Against Children Task Force, the undersigned complainant, being duly sworn, states the following is true and correct to the best of my knowledge and belief:

COUNT 1

DISTRIBUTION OF CHILD PORNOGRAPHY

On or about August 15, 2015, in St. Clair County, Illinois, which is within the Southern District of Illinois,

HAMZA L. NIJMEH,

defendant herein, did knowingly distribute visual depictions containing child pornography, as defined in Title 18 United States Code, Section 2256(8)(A), including, but not limited to, the following: image file: 63ce8364ab78963deb3f16fc062f1b59.JPG, which depicts a 12 to 13 year old female with braids sucking the penis of an adult male, that had been shipped or transported in or affecting interstate or foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2252A(a)(2)(B) & (b).

COUNT 2

RECEIPT OF CHILD PORNOGRAPHY

On or about August 14, 2015, in St. Clair County, Illinois, which is within the Southern District of Illinois,

HAMZA L. NIJMEH,

defendant herein, did knowingly receive visual depictions containing child pornography, as defined in Title 18 United States Code, Section 2256(8)(A), including but not limited to the following: image file 12f5223e9973ceabcaafe6bd0a87d142.JPG, which depicts a 9 to 10 year old female, nude from the waist down, exposing her vaginal area, that had been shipped or transported in or affecting interstate or foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2252A(a)(2)(B) & (b).

AFFIDAVIT

1. I am a Special Agent of the Federal Bureau of Investigation assigned to the FBI's Springfield Division, Fairview Heights Resident Agency, in Fairview Heights, Illinois. I have been so assigned for approximately twenty-four years. During the last 12 years I have primarily investigated matters involving Violent Crimes Against Children, to include the sexual exploitation of children, particularly regarding the possession, receipt and distribution of images of child pornography involving the internet. During my career as a Special Agent, I have investigated and assisted in the investigations of a variety of federal violations, including wire fraud, mail fraud, Medicare and health insurance fraud, corruption of state and local public officials, violent crimes, illegal drug conspiracy and drug distribution rings, computer and internet related crimes involving to intrusions, frauds and identity theft. From 2005 until 2015 I served as an FBI certified computer forensic examiner. I have worked on or assisted in over 300

cases involving child pornography trading, distribution, and manufacturing. I have been trained in the search, discovery, and recovery of, computers, cell phones, PDA's, computer peripherals, and computer data, by imaging computer hard drives and interpreting on-line computer activity from computers, data logs and Internet Service Providers

2. On August 17, 2015, the Bernalillo County Sheriff's Office, based out of Albuquerque, New Mexico received a "Priority 1" cyber-tip from the National Center for Missing and Exploited Children (NCMEC). NCMEC's website contains an online form that is accessible to the public, which allows any individual to report child exploitation online. Once the online form is submitted, NCMEC reviews the submission and assigns a priority level. The tip is then forwarded to the correct jurisdiction in order for the appropriate law enforcement agency to investigate the information.

3. On August 17, 2015, an online user filled out the form and submitted it to NCMEC. The individual stated that he has been collecting child pornography for years and had previously sexually assaulted his five year-old cousin. He further stated that he was currently sexually assaulting a six–year-old female and that he would be sexually assaulting her again on that evening. Based on the location of this online user's IP address, NCMEC forwarded this information to the New Mexico Attorney General's Office, who in turn gave it to the Bernalillo County Sheriff's Office, and law enforcement was able to identify this user as Randy Martinez. Martinez was located, interviewed and admitted to being the author of the online tip, and advised that on his phones we would find Kik messenger conversations with other users that provided him with child pornography and that he provided with child pornography. During the course of the investigation, two cell phones were found in Martinez's possession upon his arrest. After a search warrant was obtained, the phones were forensically extracted and analyzed. The phones

contained over 1,400 images and videos of children under the age of 18 engaged in sexual acts or posing in sexually explicit ways.

4. Investigators learned that Martinez was using the Kik Messenger application to communicate with dozens of other users to distribute and possess child pornography. Kik is a cell phone messaging application that allows users to send each other messages without using their cell phones text messaging function. Kik allows up to fifty (50) users to take part in a specific chat. When a user uploads a photo or video to a Kik conversation, it is saved on a server maintained by Kik. When other user in the group conversation who are receiving the video or image logs in, the photo or video is then automatically downloaded to the user's mobile device. The Kik conversations involving Martinez took place from August 1 to August 18, 2015. The Kik group conversations utilized by Martinez contained the group names "Preteen Trade" and "Trade young girls." Some of the group-conversation participants were uploading videos and photos to the group, which depicted children under the age of 18 engaged in sexual activity. Some users were identified as part of the group conversation, but an inspection of their Kik logins revealed that they had not logged in after the conversations that investigators recovered that included child pornography.

5. A Kik user utilizing the screen name "suckiteze" took part in one or more conversations on Kik involving Martinez, a.k.a. "BigRed992". "[S]uckiteze" was identified as a member of one or more of the chats and was logged into Kik at the time a sexually explicit video or image involving a child was sent, or after the conversation took place. "[S]uckiteze" logged in during or after the time of the observed distributions of child pornography.

6. During the month of August 2015, the person using login "suckiteze" engaged in the chat conversations utilizing the Kik application to communicate and trade images of child

pornography with the Kik user "BigRed992", which is the screen name of Martinez. This conversation took place between August 10 and August 18, 2015. During the conversations both "suckiteze" and "BigRed992" initially pretended to be young girls. User "suckiteze" sent multiple images containing visual depictions of a minors engaged in sexually explicit conduct including one image of a 12-13 year old female performing oral sex on an adult male. Later in the chat conversation, "suckiteze" brags about having access to over 300 child pornography movies in a dropbox account that he attempts to share with "BigRed992" in return for receiving more movies.

7. An Administrative Subpoena to Kik regarding the user of the "suckiteze" screen name identified the "suckiteze" account as being opened on or about April 5, 2014 using an Apple iPhone device. The name provided was The Beast and an email address of gguufrf@yahoo.com was provided (Kik does not verify email account information). For the month of August 2015 there were approximately 500 account logins associated with the "suckiteze" screen name from the IP Address 107.192.126.229.

8. An Administrative Subpoena to AT&T revealed the IP Address (via U-verse) 107.192.126.229 was subscribed to Hamza Nijmeh, 8308 State Street, East St. Louis, Illinois 62203, mobile telephone number 618-789-9500, email account(s) pali1948@yahoo.com, and hamza6318@att.net.

9. An Administrative Subpoena to AT&T regarding the mobile phone number 618-789-9500 revealed it belonged to Hamza Nijmeh, 2053 Fairfield Place, Apartment 6, O'Fallon, Illinois 62269, home telephone number 618-874-3558 since August 2010. The email accounts palisdiamond@yahoo.com and westbank_ak47@yahoo.com were associated with Nijmeh and the mobile phone number.

10. Illinois Secretary of State records revealed that Hamza L. Nijmeh, white male, born July 23, 1985 resides at 2053 Fairfield Place, Apartment 6, O'Fallon, Illinois.

11. The O'Fallon, Illinois Police Department had two "Domestic Dispute" contacts with Nijmeh and his wife, Niveen A. Hashash, a white female, born August 31, 1985 at the 2053 Fairfield Place, Apartment 6 residence. From review of the reports and contact with a confidential cooperating witness at the apartment complex, there are frequent fights and shouting matches between Hamza and Niveen, with her accusing him of being unfaithful while at work and monetary issues.

12. On November 9, 2015, Affiant conducted physical surveillance. At approximately 12:30pm, 2053 Fairfield Place, Apartment 6, had no activity; however, Nijmeh's 2001 Lexus was parked in the parking lot of the apartment complex. At approximately 1:00pm, Nijmeh's 2001 BMW was observed at the liquor store at 8308 State Street. Upon entry, Nijmeh was found to be working behind the counter with another unknown male. When an inquiry was made of whom the store owner was, Nijmeh identified himself. Nijmeh and the other male were asked about a white female runaway. Both were shown a picture and advised they had not seen the girl at the store. Nijmeh was asked for his phone number and asked to call the FBI if he ever saw the not further described female. Nijmeh provided his name as "Hamza" and his mobile phone number as 618-789-9500. A call to the number resulted in it ringing in the store.

13. On November 12, 2015, Hamza Nijmeh was contacted at his place of business, 8308 State Street, East St. Louis, Illinois by Special Agents Tyrone Forte and Eric Ruhe along with Illinois Attorney General Investigator Thomas Berola. SA Forte contacted Nijmeh on his mobile phone at approximately 7:40am and asked him to come to the store to discuss a problem. At approximately 8:05am a male, later identified as Nijmeh's cousin opened the store and allowed

us to wait inside. At approximately 8:15 a.m. Nijmeh arrived and SA Forte asked him if we could go to the back office for a conversation. Nijmeh agreed and lead agents to his back office. SA Forte explained to Nijmeh that his Kik account had been found to be trading child pornography with other online users. SA Forte explained that doing such was illegal and he was in a bad situation, but if he was cooperative and truthful about his involvement with the child porn trading groups it could be to his benefit. Nijmeh said he knew what he was doing was wrong, was sorry and agreed to answer all questions and be as truthful as possible. Nijmeh also agreed to sign a Consent to Search form permitting the FBI to seize and search certain computer and mobile devices he had at the business.

14. A video camera was then set up to document Nijmeh's involvement with child pornography trading. In summary, Nijmeh stated that he set up the Kik account about a year ago on his old iPhone. Nijmeh acknowledged using the screen named "suckiteze" and stated that he had another Kik account under the name "ramihadad". Nijmeh was shown several images and the chat from the chat session listed above, and he acknowledged he was the person using the screen name "suckiteze" and he acknowledge exchanging the child pornography images with "Bigred992". Nijmeh stated that he became involved with Kik from meeting friends on Instagram, who directed him to Kik for sharing pictures. Nijmeh stated he had no interest in child pornography before, but when he started seeing and trading these images with people he could not stop. Nijmeh stated that he generally views images and movies of minor girls, but not boys and he has masturbated to the images. Nijmeh indicated he has seen ages of girls as young as 6, 7 and 8, but it is mostly girls between 11 and 14 that are exchanged. Nijmeh stated that someone shared with him a Dropbox link containing hundreds of child pornography movies. Some of these images and movies he downloads and saves to his phone's photo album for later

viewing. Nijmeh stated that he also used these images and traded access to the Dropbox account with other people to gain even more images of child pornography. Nijmeh stated he has never actually touched a child.

15. One of the image files sent by Nijmeh using the screen name "suckiteze' to "Bigred992" was a file with the hash value: 63ce8364ab78963deb3f16fc062f1b59.JPG, which depicts a 12 to 13 year old female with braids sucking the penis of an adult male. One of the image files received by Nijmeh from "Bigred992" was a file with the hash value 12f5223e9973ceabcaafe6bd0a87d142.JPG, which depicts a 9 to 10 year old female, nude from the waist down, exposing her vaginal area

16. The initial forensic preview of the phones and computers seized from Nijmeh revealed approximately 250 videos which contained child pornography on his iPhone. The video and image files were received and distributed by Nijmeh using the internet mobile messaging system Kik, which is a facility of interstate commerce.

FURTHER AFFIANT SAYETH NAUGHT.

Tyrone K. Forte, Special Agent
Federal Bureau of Investigation

State of Illinois)
) SS
County of St. Clair)

Sworn to before me and subscribed in my presence on the 13th day of November 2015, at East St. Louis, Illinois.

Donald G. Wilkerson
United State Magistrate Judge

STEPHEN R. WIGGINTON
United States Attorney

Jonathan Drucker for
CHRISTOPHER HOELL
Assistant United States Attorney